

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

CRAIG CUNNINGHAM.

Plaintiff,

V.

MANESSEH JORDAN MINISTRIES, INC.;
BUILLON FITNESS INC.; KINGDOM
MINISTRIES CHURCH INC.; YAKIM
MANESSEH JORDAN a/k/a MANESSEH
JORDAN; MJ MINISTRIES SPREADING
THE GOSPEL, INC.; and JOHN AND
JANE DOES 1-5.

Defendants.

CASE NO.: 4:19-cv-00494-SDJ-CAN

DEFENDANT MJ MINISTRIES SPREADING THE GOSPEL, INC'S NOTICE
REGARDING STATUS OF SETTLEMENT

Defendant MJ Ministries Spreading the Gospel, Inc. (“MJ Ministries” or “Defendant”) hereby files this Notice regarding the status of the settlement reached between the parties as required by the Court’s August 19, 2020 Order (ECF No. 102):

1. On August 5, 2020, the Court stayed this matter so that the parties could pursue resolution through mediation. (ECF No. 98).
2. The parties attended a mediation with the Honorable James Jordan (Ret.) on August 17, 2020.
3. The parties agreed to resolve the matter at the mediation and signed a Mediated Agreement on August 17, 2020 setting forth the terms of the settlement.
4. Two days after the parties entered the Mediated Agreement, on August 19, 2020, Plaintiff sent counsel for MJ Ministries an email attempting to revisit the terms of the agreed upon Mediated Agreement.

5. Counsel for MJ Ministries advised that the Mediated Agreement was binding and that MJ Ministries would seek to enforce same with the Court if Plaintiff refused to abide by the Mediated Agreement.

6. On August 31, 2020, counsel for MJ Ministries sent Plaintiff Craig Cunningham a proposed Settlement and Release Agreement (“Release”).

7. Plaintiff objected to certain provisions of the Release and sent his proposed revisions to counsel on August 31, 2020.

8. Thereafter, Plaintiff and Roy Matthews, MJ Ministries counsel, had numerous conversations and email exchanges concerning the terms of the Release between August 31, 2020 and September 8, 2020.

9. Plaintiff sent additional revisions to the proposed Release on September 8, 2020.

10. Mr. Matthews and Plaintiff had additional conversations concerning Plaintiff’s September 8, 2020 revisions.

11. Mr. Matthews’ last day with Gordon Rees Scully Mansukhani was September 11, 2020. Mr. Matthews advised Plaintiff to contact Sara Anderson Frey, Esquire of the Philadelphia, Pennsylvania office of Gordon Rees Scully Mansukhani to finalize the Release.

12. Plaintiff sent an email Ms. Frey on Friday, September 11, 2020. Ms. Frey was out of state, in Arizona, for a family event.

13. Plaintiff then left one voicemail on Ms. Frey’s office line on September 14, 2020. Ms. Frey responded by email advising that she was returning from an out of state trip and would respond when she returned home.

14. After returning home on September 15, 2020, Ms. Frey proceeded to investigate the status of Mr. Matthews' communications with Plaintiff and her clients and to seek another attorney from the firm's Dallas, Texas office to act as local counsel in Mr. Matthews' absence.

15. On September 17, 2020, Ms. Frey sent Plaintiff what she believed was the latest version of the Release. In response, Plaintiff sent back a redlined version again attempting to add terms to the Release which were not agreed upon in the Mediated Agreement.

16. Ms. Frey and Plaintiff had several conversations by telephone and email on September 17, 2020 in an attempt to finalize the Release and exchanged multiple drafts of the Release.

17. While the parties have come close to finalizing the Release, there are a few provisions which the parties are still attempting to resolve.

18. Defendant has acted in good faith in an attempt to finalize a Release which is consistent with the parties' Mediated Agreement.

19. Defendant believes that the parties will be able to resolve their issues and requests an additional two (2) weeks to finalize the Release.

DATED THIS 17TH DATE OF SEPTEMBER, 2020.

Respectfully submitted,

GORDON & REES, LLP

/s/ Jason Irvin

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**ATTORNEY FOR DEFENDANT
MJ MINISTRIES SPREADING THE GOSPEL,
INC.**

CERTIFICATE OF SERVICE

I hereby certify that on September 17, 2020, a true and correct copy of the foregoing document was served on Plaintiff via First Class Mail and email to the following address:

Craig Cunningham
3000 Custer Road, Suite 270-206
Plano, TX 75075

/s/ Jason Irvin

JASON IRVIN